

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMI NATURALITE,

Plaintiff,

Civil Action No.
10-CV-13564

vs.

HON. MARK A. GOLDSMITH

GREGORY FORNER, et al.,

Defendants.

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S REPORT
AND RECOMMENDATION and GRANTING THE MOTION TO DISMISS OF
DEFENDANTS CORRECTIONAL MEDICAL SERVICES, INC. AND VERNON R.
STEVENSON, M.D.**

This matter is presently before the Court on the Report and Recommendation ("R&R") of Magistrate Judge R. Steven Whalen, issued on August 12, 2011 (Dkt. 55). The Magistrate Judge recommends that the motion to dismiss of Defendants Correctional Medical Services, Inc. ("CMS") and Vernon R. Stevenson, M.D. (Dkt. 35) be granted. Plaintiff has not filed objections to the R&R despite being granted an extension of time in which to do so (Dkt. 59). Thus, Plaintiff has waived any further right to appeal. Thomas v. Arn, 474 U.S. 140, 155 (1985). In any event, the Court has reviewed the R&R and finds that the Magistrate Judge has reached the correct result for the correct reasons. Therefore, the Court accepts and adopts the R&R as the findings and conclusions of the Court and grants the motion to dismiss of Defendants CMS and Dr. Stevenson. Plaintiff's exhausted claims against Defendants CMS and Dr. Stevenson, see R&R at 6, are dismissed with prejudice; Plaintiff's remaining claims against CMS and Dr. Stevenson are dismissed without prejudice.

SO ORDERED.

Dated: September 12, 2011
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
UNITED STATES DISTRICT JUDGE